

FILED

UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF
WASHINGTON, AT TACOMA

In re **FOUR SEASONS AUTO REPAIR
SERVICE CENTERS INC.**

MLT FILED CLK.
U.S. BANKRUPTCY COURT
W.D. OF WA AT TACOMA
**Case No. 08-46542-PBS
Chapter 11**

Debtor

Adv. Proc. No. 11-04139-PBS

**DAVID HAIJ, pro se,
an individual, and as sole successor in
interest to Pro-Tech Collision Repair, Inc.,
an inactive Washington Corporation**

**AFFIDAVIT IN SUPPORT OF
PLAINTIFF/CREDITOR'S
MOTION FOR VOLUNTARY
DISMISSAL (NONSUIT) OF
ADVERSARIAL PROCEEDING
UNDER RULE 41**

Plaintiff,

v.

**FOUR SEASONS AUTO REPAIR
SERVICE CENTERS, INC.**

Defendant

1. I, David Haij, am the Plaintiff in the above captioned Adversarial Proceeding and am over the age of 18 and competent to make this affidavit according to my personal information, knowledge and belief.

2. On July 28, 2011 I received a copy of the state court Order in Clark County Cause No. 10-2-00706-1 where the Defendant/Debtor herein and its sole officers, the Ahmeds, were ordered by the state court to return all of the equipment and material belonging to me, Plaintiff/Creditor, that they had removed from the leased premises. The removal of my property from the leased premises was an important element in my Adversarial complaint.

3. As of my submitting this Motion, it appears that Defendant/Debtor and the Ahmeds may have substantially complied with that Order.

1 4. In light of the state court order and the fact that previously discovered and newly
2 ascertained issues remain that may only be resolved in the state court, it is my request
3 that my Adversarial Proceeding against Defendant/Debtor in this court be dismissed
without prejudice and that each party bear their own expense.

4 I swear under penalty of perjury under the laws of the United States that the foregoing is
5 true to the best of my knowledge and belief.

6 Signed this 29th Day of July 2011

7 David Haij
8 David Haij, Plaintiff pro se
9 10103 NE 28th Place
10 Vancouver, WA 98686
11 Phone: (360) 903-1199

12 NOTARY:

STATE OF WASHINGTON
COUNTY OF CLARK

SIGNED OR ATTESTED BEFORE ME ON July 29th 2011
BY David Haij

MY APPOINTMENT EXPIRES October 1, 2011

Elizabeth M.A. Callander
Elizabeth M.A. Callander

